



1309.43472X00

*Jeffrey*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Homare OKAMOTO et al.

**RECEIVED**

Serial No.: 10/769,927

AUG 15 2006

Filed: February 3, 2004

**OFFICE OF PETITIONS**

U.S. Patent No.: 7,073,092 B2

Issued: July 4, 2006

For: CHANNEL ADAPTER AND DISK ARRAY DEVICE

**PETITION REQUESTING REQUEST FOR  
CERTIFICATE OF CORRECTION**

**MS Petitions**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 8, 2006

Sir:

Pursuant to 35 USC §254, Applicants respectfully request that a Certificate of Correction be issued in connection with the above-referenced application to correct the error noted on the attached Form PTO-1050.

Specifically, Applicants respectfully request that a correction be made with respect to Applicants' claim of priority. Applicants submit that the present application claims priority from Japanese Patent Application No. 2003-393647, filed November 25, 2003 in Japan. Upon review of the issued patent, Applicants note that the patent was issued claiming priority of JP 2003-337239 and JP 393647.

In the December 15, 2005 Office Action, the Examiner objected to Applicants claim of foreign priority with respect to the papers filed on September 29, 2003. In response to the December 15, 2005 Office Action,

08/09/2006 SDENB0B1 00000022 7073092

Applicants provided the following arguments by the March 15, 2006

Amendment:

"Applicants hereby submit that the claim of priority on September 29, 2003 allegedly claiming priority with respect to Japanese Patent Application No. 2003-337239 was in error and should be disregarded. Claim of priority was appropriate and is correct with respect to the claim of priority submitted on February 3, 2004 along with the present application. The February 3, 2004 claim of priority claimed priority based on Japanese Patent Application No. 2003-393647."

Therefore, Applicants respectfully request that a Certificate of Correction be issued correcting Applicants claim of priority with respect to Japanese Application No. 2003-393647, filed November 25, 2003. Copies of the certified copy of said Japanese application along with a copy of the Oath/Declaration are attached herewith..

Upon granting of this Petition, Applicants respectfully request that the file be forwarded to the Certificates of Correction Branch for issuance of a Certificate of Correction.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (1309.43472X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Carl I. Brundidge  
Registration No. 29,621

CIB/jdc  
(703) 684-1120

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(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO: 7,073,092 B2

DATED: July 4, 2006

INVENTOR(s): H. Okamoto, et al

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

-- (30) Foreign Application Priority Data

Nov. 25, 2003 (JP).....2003-393647 --

MAILING ADDRESS OF SENDER:

PATENT NO: 7,073,092 B2

Carl I. Brundidge  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 Diagonal Road – Suite 370  
Alexandria, VA 22314

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comment on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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it displays a valid OMB control number.  
(Also Form PTO-1050)

## UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO: 7,073,092 B2

DATED: July 4, 2006

INVENTOR(s): H. Okamoto, et al

It is certified that error appears in the above-identified patent and that said  
Letters Patent is hereby corrected as shown below:

-- (30) Foreign Application Priority Data

Nov. 25, 2003 (JP).....2003-393647 --

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日本国特許庁  
JAPAN PATENT OFFICE

別紙添付の書類に記載されている事項は下記の出願書類に記載されている事項と同一であることを証明する。

This is to certify that the annexed is a true copy of the following application as filed with this Office.

出願年月日 2003年11月25日  
Date of Application:

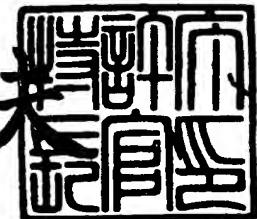
出願番号 特願2003-393647  
Application Number:

[ST. 10/C] : [JP 2003-393647]

出願人 株式会社日立製作所  
Applicant(s):

2004年 1月 27日

今井康



特許庁長官  
Commissioner,  
Japan Patent Office



PTO/SB/106(5-00)

Approved for use through 10/31/02. OMB 0651-0032  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## Declaration and Power of Attorney for Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣言する : As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。 My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CHANNEL ADAPTER AND DISK ARRAY DEVICE

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない : The specification of which is attached hereto unless the following box is checked:

に日に出願され、  
この出願の米国出願番号またはPCT国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

was filed on 3-Feb-04  
as United States Application Number or  
PCT International Application Number  
10/769, 927 and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。 I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重量な情報を開示する義務があることを認める。 I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration  
(日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)によるPCT国際出願について、同第119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Application(s)  
外国での先行出願Priority Not Claimed  
優先権主張なし

2003-393647

(Number)  
(番号)

Japan

(Country)  
(国名)

25/November/2003

(Day/Month/Year Filed)  
(出願日/月/年)(Number)  
(番号)(Country)  
(国名)(Day/Month/Year Filed)  
(出願日/月/年)

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Application No.)  
(出願番号)(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関わる重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Status: Patented, Pending, Abandoned)  
(現況: 特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**Japanese Language Declaration**  
(日本語宣言書)

委任状：私は本出願を審査する手続を行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び／または弁理士を任命する。（氏名及び登録番号を記載すること）

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Donald R. Antonelli, Reg. No. 20,296; David T. Terry, Reg. No. 20,178; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; James N. Dresser, Reg. No. 22,973 and Carl I. Brundidge, Reg. No. 29,621.

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Direct Telephone Calls to: (name and telephone number)

Telephone: (703) 312- 6600  
Fax: (703) 312- 6666

## 唯一または第一発明者氏名

Full name of sole or first inventor

Homare OKAMOTO

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日付

Inventor's signature

Date

Homare Okamoto

Mar. 30, 2004

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Full name of second joint inventor, if any

Hidehiro NAGAYA

## 第二共同発明者の署名

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Second inventor's signature

Date

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(第三以下の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)